



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

908 WRIT PETITION NO. 4979 OF 2026

Hemant Somnath Kothawade And Ors

VERSUS

The State Of Maharashtra Thr The Secretary And Ors

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Advocate for PetitionerS : Mr. A.T. Jadhavar

AGP for Respondents: Mr. S.K. Shirshe

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CORAM : S. G. CHAPALGAONKAR, J.

Dated : May 05, 2026

PER COURT :-

1. Heard.
2. Issue notice to the Respondents, returnable on 16.6.2026. Learned A.G.P. waives notice for Respondent nos. 1 to 3.
3. Mr. Ashish Jadhavar, learned advocate appearing for the petitioners submits that petitioners have been subjected to the order passed under section 13 of the Maharashtra Mathadi Hamal and other Manual Workers (Regulation of Employment Welfare) Act, 1969. Mr. Jadhavar submits that, sub clause no. (3) of section 13 requires that 'no order determining the sum due from any employer or [unprotected workers] shall be made under sub-section(1), unless the employer or

[unprotected worker], as the case may be, is given a reasonable opportunity of representing his case.’ He submits that petitioners were not given a formal notice of the proceeding nor they were given opportunity of hearing before passing such order.

4. Considering submissions advanced, there shall be ad-interim relief in terms of prayer clause “D” subject to the condition that petitioners deposit 25% of the amount assessed under impugned order with the Registry of this Court by the returnable date i.e. 16.6.2026.

(S. G. CHAPALGAONKAR, J.)

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aaa/-